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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,523	01/21/2004	Bernd Hildebrand	502901-163	3433

27799 7590 02/08/2005

COHEN, PONTANI, LIEBERMAN & PAVANE
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SUITE 1210
NEW YORK, NY 10176

EXAMINER

REIS, TRAVIS M

ART UNIT	PAPER NUMBER
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2859

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,523

Applicant(s)

HILDEBRAND ET AL.

Examiner

Travis M Reis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20040121, 20040830.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

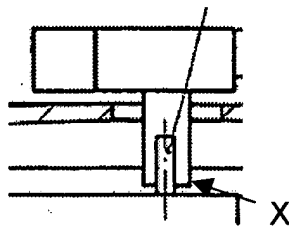
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Heinz-Guenther et al (DE 19601270).

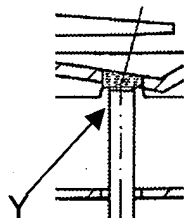
Heinz-Guenher discloses a pointer instrument (1) comprising a printed circuit board (10); first and second instrument mechanisms (8,9) independently arranged on said printed circuit board such that the printed circuit board is between the first and second instrument mechanisms; and first and second pointers (4, 19, 24) having concentric pivoting axes, wherein said first instrument mechanism (8) is above said printed circuit board and acts on said first pointer (4), said first instrument mechanism comprising a hollow shaft (X, see below)



connecting said first instrument mechanism to said first pointer; and said second instrument mechanism (9) is below said printed circuit board and acts on said second pointer (19,24), said second instrument mechanism comprising a shaft (11) connecting said second instrument mechanism to said second pointer, said first and second instrument mechanisms having essentially concentric rotational axes, and wherein said shaft of said second instrument mechanism passes through said printed circuit board and through said hollow shaft of said first instrument mechanism (Figures 2 & 3); wherein in the embodiment shown in

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Figure 2, with an optical fiber (17) between said hollow shaft of said first instrument mechanisms and said shaft of said second instrument mechanism which extend through said hollow shaft, said optical fiber being arranged to illuminate said second pointer; and further in the embodiment shown in Figure 3, said second instrument mechanism comprises an optical filter/light-guide/bracket (23) connecting said second instrument mechanisms to said second pointer, said bracket projecting through a cutout (5) in said printed circuit board, said cutout being an arc wherein the pointer follows a path with a maximum of 90° and located essentially concentrically with respect to the pivoting axis of said second pointer (Figure 1), said bracket has an area (Y, see below)



pointing radially inwards with respect to the pivoting axes and is above said printed circuit board, and further said bracket comprises a hollow shaft element (21).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jones discloses a maximum hand for speedometer indicators (U.S. Patent 925814). Klein discloses a side force and danger indicator (U.S. Patent 1368941). Teter discloses a measuring instrument with registering means (U.S. Patent 2577491). Murray discloses a dual pointer indicator (U.S. Patent 2717573). Anderson discloses a multiple pointer instrument (U.S. Patent 2882855). Hoffman discloses a multicolor instrument (U.S. Patent 3091214). Szymer discloses a coaxial dual dial resettable indicator (U.S. Patent 4151651). Wehner et al. discloses an instrument illuminating arrangement (U.S. Patent

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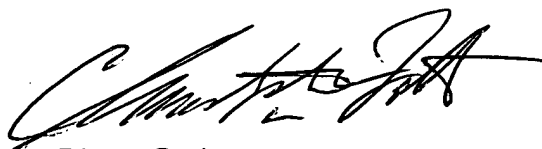
4561042). Ogawa et al. discloses a bearing arrangement and indicating instrument using the same (U.S. Patent 6216630).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis M Reis whose telephone number is (571) 272-2249.

The examiner can normally be reached on 8--5 M--F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Travis M Reis
Examiner
Art Unit 2859



Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800

tmr
February 4, 2005

CHRISTOPHER W. FULTON
PRIMARY EXAMINER